

REMARKS

Attached hereto is a Petition and fee for a one-month extension of time under 37 C.F.R. §1.136(a).

It is noted that the claim amendments herein are intended solely to more particularly point out the present invention for the Examiner, and not for distinguishing over the prior art or the statutory requirements directed to patentability.

It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claims 1-30 are all of the claims pending in the present Application. Applicants gratefully acknowledge the Examiner's indication that claims 3-5, 11-14, and 16-21 would be allowable if rewritten in independent format. However, Applicants decline to rewrite these claims in independent format at this time, since it is believed that the present invention, as defined by the independent claims is clearly patentable over the prior art of record, when properly understood.

Claims 1, 2, 6, 9, 15, 23, and 27-29 stand rejected under 35 USC §102(b) as anticipated by Japanese Patent JP 07-160203 to Satoru et al. Claims 7, 8, 10, 22, and 30 stand rejected under 35 USC §103(a) as unpatentable over Satoru, further in view of US Patent 6, 144, 358 to Narayanaswamy et al. Claims 24-26 stand rejected under 35 USC §103(a) as unpatentable over Satoru, further in view of US Patent 5,584,054 to Tyneski et al.

These rejections are respectfully traversed in view of the following discussion.

I. THE CLAIMED INVENTION

As disclosed and described by the claims, e.g., claim 1, the present invention is directed to a vehicle-mounted apparatus directly mountable onto a surface in a vehicle. The apparatus includes a first panel including a first display and a second panel including a second display. The second panel is openable and closeable with respect to the first panel about a side thereof as a first axis.

Advantages of the present invention over prior art configurations include that it provides a display/control apparatus that minimizes space and reduces complexity for the control switching.

Moreover, relative to the device taught in Satoru, the present invention provides a simple mounting technique (i.e., directly to the surface) that does not need an expensive and complex motor-driven mechanism. Additionally, the present invention provides a control panel on the back face of the second panel, thereby allowing more space on each panel to be devoted to the display function and provides a display configuration in which a portion of the first display can be left uncovered when the second panel is in the closed position, thereby allowing the exposed portion of the first panel to serve as a small display area when the panels are closed.

II. THE PRIOR ART REJECTIONS

The Examiner alleges that claims 1, 2, 6, 9, 15, 23, and 27-29 are anticipated by JP 07-160203 to Satoru et al. However, Applicants respectfully submit that Satoru fails to show at least the limitation of independent claims 1 and 23 in which the first panel is directly mountable to the mounting surface.

That is, first panel 14 in Satoru is mounted to the automotive via a complex motorized (e.g., two motors) mechanism mounted inside mounting case 11. The present invention does not need this expensive mounting mechanism.

The Examiner relies on Narayanaswamy to demonstrate a position sensing technique and on Tyneski to demonstrate an exposed display portion. Therefore, these two references fail to overcome the above-identified deficiency of Satoru.

Hence, turning to the clear language of the claims, there is no teaching or suggestion of "...said first panel being directly mountable onto a surface of a vehicle..." as required by claim 1. Similar language is found in claim 23.

Therefore, claims 1-7 and 11-30 are fully patentable over Satoru.

Second, the Examiner alleges that Figures 10 and 12 (items 85, 86, and 88) teaches that the "second panel is rotatable upside down." Applicants respectfully disagree with the Examiner that Figure 10 shows a capability to rotate upside down, since it would seem that second panel 85 in this Figure 10 operates similar to that shown in Figures 1 and 2 (i.e., the first panel 82 pulls the second panel 85 downward as the first panel 82 is retracted into case 71).

The rotation shown in Figure 12 of Satoru is a rotation about the axis of the edge of the first panel and is a rotation used as part of the process to stow the two display panels 73, 85. In contrast, the rotation of the present invention is about an axis perpendicular to this edge axis. Satoru fails to teach or suggest a rotation in this perpendicular axis.

The advantage of this perpendicular axis of rotation is that the back side of the second panel 2 of the present invention can be used as a control panel when the two panels are in a closed (i.e., stowed) position. Satoru does not have this capability of using the back side of

the second panel 85 as a control panel.

Hence, turning to the clear language of the claims, there is no teaching or suggestion in Satoru of “ ... wherein said second panel is rotatable upside down in an axis perpendicular to said first axis”, as required by claim 2. Similar language is present in claims 8-10 and 27.

Therefore, claims 2, 4, 5, 7-11, 14, 15, 17, 18, 20, 21, and 27 are fully patentable over Satoru.

Relative to the rejection for claims 24-26, the Examiner relies upon Tyneski to demonstrate an exposed portion of the underlying first panel. However, Tyneski involves a simple cover panel having a window that allows a portion of the underlying panel to be seen. This is an entirely different concept from that of the aspect of the present invention in which a first underlying display panel has an area left exposed when a second display panel is stowed to be in a closed position that covers the majority of the first panel, leaving only a portion exposed that has a display predetermined to be present only during the closed position. The display in the exposed area in Tyneski does not change whether the cover panel is open or closed.

Indeed, in total contrast to either the present invention or to Tyneski, the primary reference Satoru teaches that the entire first display panel is stowed totally out of sight of the user in the closed position. The Examiner cannot simply ignore the teaching of the primary reference that teaches away from the urged combination.

III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicants submit that claims 1-30, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,



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Date: _____

9/10/03

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